

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

September 4, 2003

DIVISION ONE

B161514 People (Not for Publication)
v.
Abraham L.

The order under review is affirmed.

Mallano, J.

We concur: Spencer, P.J.
Vogel (Miriam A.), J.

B165569 People (Not for Publication)
v.
Benjamin Sanchez Vasquez

The judgment is affirmed.

Mallano, J.

We concur: Ortega, Acting P.J.
Vogel (Miriam A.), J.

B167285 People (Not for Publication)
v.
Donald Shrader

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Mallano, J.

September 4, 2003 (Continued)

DIVISION ONE (Continued)

B159544 Matsumoto (Not for Publication)

v.

Housing Authority of the County of Kern, et al.

We affirm the judgment. Respondents are awarded costs and fees on appeal.

Ortega, J.

We concur: Spencer, P.J.
 Mallano, J.

DIVISION THREE

B161810 People (Not for Publication)

v.

Martinez

The judgment is affirmed.

Croskey, J.

We concur: Klein, P.J.
 Aldrich, J.

B161874 People (Not for Publication)

v.

Hollie II,

The judgment is affirmed.

Croskey, J.

We concur: Klein, P.J.
 Aldrich, J.

DIVISION FIVE

B160796 Robert Bentley (Not for Publication)
 v.
 Joseph Carella

The judgment is affirmed. Respondent(s) to recover costs.

Grignon, J.

We concur: Turner, P.J.
 Armstrong, J.

B162761 Robert Van Hoose (Not for Publication)
 v.
 Michael Markow

The judgment is affirmed. Respondent(s) to recover costs.

Turner, P.J.

We concur: Armstrong, J.
 Mosk, J.

B160845 Ludovic Suarez (Not for Publication)
 v.
 Jack Carlton

The judgment is affirmed. Each party to bear their own costs.

Turner, P.J.

We concur: Grignon, J.
 Mosk, J.

B159460 People
 v.
 Marco Antono Olivares

Filed order modifying opinion. Petition for rehearing is denied.
(No change in the judgment)

September 4, 2003 (Continued)

DIVISION FIVE (Continued)

B165062 People (Not for Publication)

V.

Lee Dildy McFadden

The judgment is affirmed.

Grignon, J.

We concur: Turner, P.J.
 Armstrong, J.

B165595 People (Not for Publication)

V.

Martin Escalante

The judgment is affirmed.

Armstrong, J.

We concur: Turner, P.J.
 Mosk, J.

B158968 Allen E. Klein (Not for Publication)

$$\mathbf{V}_i$$

Roberta Klein

The judgment is affirmed. Respondent(s) to recover costs.

Armstrong, J.

We concur: Grignon, Acting P.J.
Mosk, J.

B159423 People

V.

Perry Butler

Filed order denying petition for rehearing.

DIVISION FIVE (Continued)

B162191 Kathleen Brown-Alkire (Not for Publication)
v.
University of La Verne

The judgment is affirmed. Respondent(s) to recover costs.

Armstrong, J.

We concur: Turner, P.J.
Mosk, J.

B158163 Wyle Laboratories, Inc. (Not for Publication)
v.
128 Maryland Associates

The judgment is affirmed. Respondent(s) to recover costs.

Grignon, J.

We concur: Turner, P.J.
Armstrong, J.

DIVISION SIX

B158425 People (Not for Publication)
v.
Ballek, et al.

As to appellant Randazzo, the sentences on counts 2-4 are modified to concurrent two-year middle terms. As to appellant Ballek, the sentences on counts 2-4 are modified to concurrent 16-month lower terms. The superior court shall prepare amended abstracts of judgment and shall forward them to the Department of Corrections. As so modified, the judgments are affirmed.

Coffee, J.

We concur: Gilbert, P.J.
Perren, J.

September 4, 2003 (Continued)

DIVISION SIX (Continued)

[illegible]

The judgment is affirmed.

Gilbert, P.J.

We concur: Coffee, J.
Perren, J.

B162597 Godfrey (Not for Publication)
v.
California Youth Authority
State Personnel Board

The judgment (order issuing peremptory writ of mandamus and remanding the case for a new hearing before the SPB) is affirmed. Godfrey is awarded her costs on appeal.

Coffee, J.

We concur: Yegan, Acting P.J.
Perren, J.

B160695 People
v.
Diaz

Filed order modifying opinion. (Change in judgment)

DIVISION SEVEN

Court convened at 9:00 A.M.

Present: Perluss, P.J., Johnson, J., Woods, J., Munoz, J. (Assigned) and Eva McClintock, Deputy Clerk.

DIVISION SEVEN (Continued)

Each of the following:

B154801 People v. Cannon
B156449 People v. Marshall
B156964 People v. Garrett
B157413 People v. Angela M.
B159125 People v. Barry H.
B159446 People v. Rivera
B159671 People v. Lipscomb
B159842 People v. Woodson
B160198 People v. Hamilton
B160345 People v. Susan P.
B160383 People v. Rodriguez
B160657 People v. Arellanes
B160774 People v. Perez
B160930 People v. Gomez
B161169 People v. Walker-Bey
B161651 People v. Jairo A.
B161982 People v. Moya
B162314 People v. Frank
B162562 People v. Castaneda
B163161 People v. Stogsdill
B165039 People v. Lawrence B.
B166969 Kimberly K. v. SCLA
B167010 Morales v. SCLA

Argument waived, cause submitted.

B161851 People
 v.
 Delgadillo

Merits:

Argued by Joe Ingber for appellant and by Yun Lee, Deputy Attorney General for respondent. Cause submitted.

DIVISION SEVEN (Continued)

B164242 People
 v.
 Ayala

Merits:
Argued by Lynette Moore for appellant and by Yun Lee, Deputy Attorney General for respondent. Cause submitted.

B159207 People
 v.
 Johnson

Merits:
Argued by Shepard Kopp for appellant and by Erin Pitman, Deputy Attorney General for respondent. Cause submitted.

B164565 People
 v.
 Placencia

Merits:
Argued by Marlene Gerdtz for appellant and by Richard Breen, Deputy Attorney General for respondent. Cause submitted.

B158303 People
 v.
 Summers

Merits:
Argued by Colleen Rohan for appellant and by Deborah Chuang, Deputy Attorney General for respondent. Cause submitted.

B145450 People
 v.
 Rausse

Merits:
Argued by Robert Howell for appellant and by Gary Lieberman, Deputy Attorney General for respondent. Cause submitted.

DIVISION SEVEN (Continued)

B158270 People
 v.
 Traster

Merits:
Argued by Richard Power for appellant and by Robert Breton, Deputy Attorney General for respondent. Cause submitted.

B166722 D'Ambrosio, M.D.
 v.
 Superior Court, Los Angeles County
 (Smith, r.p.i.)

Merits:
Argued by Mark Connely for petitioner and by Timothy Donohue for real party in interest. Cause submitted.

B157628 People
 v.
 Cunningham
 Carroll

Merits:
Argued by George Schraer for appellant Cunningham and by Russell Lehman, Deputy Attorney General for respondent. Argument waived as to appellant Carroll. Cause submitted.

Court recessed at 12:21 P.M.

Court reconvened at 1:30 P.M.

Present: Perluss, P.J., Johnson, J., Woods, J., Munoz, J. (Assigned) and Eva McClintock, Deputy Clerk.

B157344 Kim v. Allstate Ins. Co.

Argument waived, cause submitted.

DIVISION SEVEN (Continued)

B142230 Continental Air
 v.
 Safeco Insurance

Merits:

Argued by Marjorie Fuller for appellant and by Christopher Lewi for respondents. Cause submitted.

B153875 Hobdy
 v.
 State of California

Merits:

Argued by Damon Hobdy for appellant and by Joel Davis, Deputy Attorney General for respondent. Cause submitted.

B154609 Berman, et al.
 v.
 Bagno

Merits:

Argued by Nate Kraut for appellants and by David Marcus for respondent. Submission is deferred until appellant files a notice that superior court has entered a judgment or in 30 days, whichever comes first.

B154225 McMahon
 v.
 West, et al.

Merits:

Argued by Manuel Klausner for respondents and there being no appearance for appellant. Cause submitted.

September 4, 2003 (Continued)

DIVISION SEVEN (Continued)

B159873 McMahon
 v.
 Horowitz

Merits:

Argued by Brian McMahon for appellant in propria persona and by Manuel Klausner for respondent. Submission deferred pending filing of letter briefs due September 22, 2003.

Court adjourned at 3:57 P.M.

B158819 Bragg
 v.
 Valdez

Filed order denying petition for rehearing.